

**JOE WARDY**  
MAYOR

**JOYCE WILSON**  
CITY MANAGER



## **CITY COUNCIL**

**SUSAN AUSTIN**  
DISTRICT NO. 1

**ROBERT A. CUSHING, JR.**  
DISTRICT NO. 2

**JOSE ALEXANDRO LOZANO**  
DISTRICT NO. 3

**JOHN F. COOK**  
DISTRICT NO. 4

**PRESI ORTEGA, JR.**  
DISTRICT NO. 5

**PAUL J. ESCOBAR**  
DISTRICT NO. 6

**VIVIAN ROJAS**  
DISTRICT NO. 7

**ANTHONY W. COBOS**  
DISTRICT NO. 8

### **PROPOSED AGENDA FOR REGULAR COUNCIL MEETING, COUNCIL CHAMBERS DECEMBER 14, 2004 9:00 A.M.**

#### **ROLL CALL**

Invocation – Reverend Lisle Davis  
Pledge of Allegiance

#### **REGULAR AGENDA**

1. Discussion on The Bill of Rights. [Anita Blair]
2. "Video Presentation on Saving the Valley".  
[Mary Frances Keisling, President of Save the Valley Neighborhoods First Civic Association]
3. Discussion and Action concerning the receipt of and response to a petition from El Paso residents concerning protection of the Wildwood Arroyo.  
[Stuart Mitchell, President of Mountain Arroyos Neighborhood Association]
4. Discussion and Action concerning the establishment of a committee composed of a representative of the PSB, a representative of the City Attorney's office, a representative of a Land Preservation Trust and a representative of the leaders of recognized El Paso Neighborhood Associations for the purpose of developing a joint policy between the City Council and the PSB for utilization of Land Swaps and Land Trusts as effective tools for the protection of land areas of special interest in the smart growth and development of El Paso. [Stuart Mitchell, President of Mountain Arroyos Neighborhood Association]
5. Discussion and Action concerning directing the staff, in cooperation with Neighborhood Association leaders to draft an appropriate ordinance for consideration by City Council within 45 days to establish a moratorium on the issuance of building permits, approval of site plan or subdivision plans or other development or construction in any arroyo area in El Paso. [Stuart Mitchell, President of Mountain Arroyos Neighborhood Association]

#### **NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

**CONSENT AGENDA****6. APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for the Regular City Council Meeting of December 7, 2004 and the Special City Council Meeting of December 3, 2004.

**7. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:****8. RESOLUTIONS:**

**8A.** That the Mayor be authorized to sign a Lessor's Approval of sublease between the City of El Paso ("Lessor"), Cutter Beachcraft, Inc. ("Lessee"), and GearBuck Aviation Services, LLC ("Sublessee") for office space located in the Fixed Base Operator's facility, currently leased to the Lessee and municipally known and numbered as 6825 Convair Rd., El Paso, Texas. **(District 3)**  
[Airport, Patrick T. Abeln, (915) 780-4724]

**8B.** That the section of the Citizen Participation Plan for the Consolidated Plan that relates to conflicts of interest regarding Community Development (CD) Steering Committee members, be revised to address potential conflict of interest issues that may arise due to expanded membership criteria recommended by the Mayor's Blue Ribbon Ad Hoc Committee on June 15, 2004, and adopted by City Council on July 13, 2004; specifically addressing the membership criteria that allows City recognized neighborhood association members to serve on the CD Steering Committee. **(All Districts)**  
[Community and Human Development, Anthony Shaar, (915) 541-4897]

**8C.** That the Mayor be authorized to sign an application to cross a portion of El Paso County Water Improvement District No. 1 property within the Playa Drain at Durill Road, for the project known as "Cedar Grove Street & Drainage Improvement Project", such application is to include an application fee of \$1,000.00.  
**(District 3)** Funding Source: 2004 Capital Improvement Program, 14200403/PBE04ST1072912/508050  
[Engineering Department, Irene Ramirez, (915) 541-4431]

**8D.** That the Mayor be authorized to sign an application to cross a portion of El Paso County Water Improvement District No. 1 property within the Playa Drain at Carolina Drive, for the project known as "Cedar Grove Street & Drainage Improvement Project", such application is to include an application fee of \$1,000.00. **(District 3)** Funding Source: 2004 Capital Improvement Program, 14200403/PBE04ST1072912/508050  
[Engineering Department, Irene Ramirez, (915) 541-4431]

**8E.** That the Mayor be authorized to sign a Eighth Amendment To State Use Contract – Contract for Cleaning Services with Texas Industries for the Blind and Handicapped and Professional Contract Services, Inc., to extend the term of the contract for cleaning services in the terminal at the El Paso International Airport for an additional year.  
Funding Source: Airport Operating Funds, 62620005-502206.  
[Purchasing Department, Enrique Acosta, Jr., (915) 541-4267]

- 8F.** That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this solid waste management lien for: [Solid Waste Management, Ellen A. Smyth, (915) 621-6719]

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
170-172 South Glenwood (District 3)	\$402.15	\$461.85	\$864.00

- 9.** Notice to set a public hearing to be held on January 18<sup>th</sup>, 2005 to determine if the property located at 5763 Alameda Avenue (Rear of store and rear apartments) in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated August 16<sup>th</sup>, 2004. The owner of record as of September 29, 2004, Gerardo Aguirre, 9850 Staubach Drive, El Paso, Texas 79927, has been notified of the violations at this property. **(District 3)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 10.** Notice to set a public hearing to be held on January 18<sup>th</sup>, 2005 to determine if the property located at 3901 Trowbridge Drive in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated May 6<sup>th</sup>, 2004. The owner of record as of September 9<sup>th</sup>, 2004, Enrique Mata, 3901 Trowbridge Drive, El Paso, Texas 79903-2826, has been notified of the violations at this property. **(District 2)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 11.** Request to fill positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:
- Police Trainees (25)  
Fund Source: 21010052-01101-21000  
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]
- 12.** Request for provisional appointment in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:
- Transportation Planner I (1)  
Fund Source: 68150009-05024-68000G780503  
[Metropolitan Planning Organization, Roy Gilyard, (915) 591-9735]
- 13.** That the salary of Philip P. LoPiccolo for the position of Executive Assistant (Mayor & Council) be set at \$62,000 effective January 10, 2005. [Mayor Joe Wardy, (915) 541-4145]
- 14. BOARD APPOINTMENTS:**
- 14A.** Zulema Lazarin to the Fair Housing Task Force by Representative Paul J. Escobar, District 6. [Representative Paul J. Escobar, (915) 541-4182]
- 14B.** Jose L. Gutierrez to the Parks & Recreation Advisory Board by Representative Paul J. Escobar, District 6. [Representative Paul J. Escobar, (915) 541-4182]

**15. DISCRETIONARY FUNDS:**

Request to allocate Six Hundred Sixty Eight and 50/100 Dollars (\$668.50) from District 3 Discretionary Funds to Sam's' Club as payment for thirty five (35) folding chairs for the Carolina Senior Center. [Representative Jose Alexandro Lozano, (915) 541-4515]

Funding Source: Acct#504420, Dept ID #01010003, Fund#01101.

**16.** Request that the following installment agreements for **AD VALOREM** taxes be approved in the amount shown and that the Mayor be authorized to sign the payment agreements on behalf of the City: [Tax Office, Juan Sandoval, (915) 541-4369]

**16A.** PID #E014-999-0120--6500, \$292.97 per month installments on a balance of \$3,515.64 for 2000, 2001, 2002 & 2003 taxes; Jose C. Alvarez % Martha J. Cadena – 216 S. Cebada St. **(District 8)**

**16B.** PID #P879-000-0030-3900, \$295.10 per month installments on a balance of \$7,082.40 for 2001, 2002 & 2003 Taxes; Leobardo & Margarita Sanchez – 10896 Staci. **(District - County)**

**16C.** PID #S533-000-0040-16D1, \$1,285.83 per month installments on a balance of \$7,714.98 for 2001, 2002 & 2003 taxes; Jesus Robles – 670 Old Hueco Tank. **(District - County)**

**16D.** PID #S826-000-0020-0332, \$180.75 per month installments on a balance of \$2,169.00 for 2002 & 2003 taxes; Pagador de Impuestos Dora Alemana - 548 Liahona. **(District - County)**

**16E.** PID #1995-999-0574-0042, \$497.31 per month installments on a balance of \$2,983.86 for 2001, 2002 & 2003 taxes; Magnolia Car Wash % Crisogono Corral - 8705 Alameda. **(District 7)**

**16F.** PID #'s H801-999-0040-1501 & H801-999-0040-1500, \$236.28 per month installments on a balance of \$2,126.52 for 2003 taxes; Deborah Rose – 11871 Silverberry. **(District 5)**

**17. APPLICATIONS FOR TAX REFUND:** [Tax Office, Juan Sandoval, (915) 541-4369]

**17A.** Christopher & Michelle Coleman in the amount of \$2,543.53 overpayment of 2003 taxes. (PID #W145-999-0240-2400)

**17B.** In Town Suites Management in the amount of \$33,474.44 overpayment of 2003 taxes. (PID #S757-999-0010-0200)

**18. REQUEST FOR PROPOSAL:**

This competitive sealed bid proposal is being awarded to the responsible offeror whose proposal is determined to be the most advantageous to the City, considering the relative importance of price and the other evaluation factors included in the request for proposal.

<b>18A.</b>	Solicitation No. 2005-16R	Selectone System Optimization
	Award to:	R.T.C., Inc.
		El Paso, TX
	Item (s):	All
	Amount:	\$45,270.00 (estimated)

Department: Public Safety Technology  
 Funds available: 04250203-27251-508007-PMB0003130  
 Funding source: FY20 Certificates of Obligation Equipment  
 Total award: \$45,270.00 (estimated)  
**District (s): All**

Public Safety Technology Department and Purchasing Department recommends award as indicated. R.T.C., Inc. provided the sole proposal that meets all requirements of the RFP. [Purchasing Department, Ray Heredia, (915) 541-4316]

- 18B.** Solicitation No. 2005-037R Baseline Screening For Firefighters  
 Award to: Las Palmas & Del Sol Regional Healthcare System  
 El Paso, TX  
 Item (s) All  
 Amount: \$164,364.00 (estimated yearly)

Department: Fire  
 Funds available: 22010090-01101-502111  
 Funding source: Operating Funds, Healthcare Provider Service  
 Total award: \$493,092.00 (estimated)  
**District (s): All**

Fire Department and Purchasing Department recommends award as indicated. Las Palmas & Del Sol Regional Healthcare System, provided the sole proposal that meets all requirements of the RFP.  
 [Purchasing Department, Ray Heredia, (915) 541-4316]

**19. BIDS:**

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

- 19A.** Solicitation No. 2005-017 Zoo Animal Food
- |           |            |   |
|-----------|------------|---|
| Award to: | 1) Vendor: | Valley Feed & Supply, Inc.<br>El Paso, Texas              |
|           | Item(s):   | Group I, #1 to #20, #22 to #27, #34 to # 53,<br>#55 & #56 |
|           | Amount:    | \$30,000.00 (estimated annually)                          |
|           | 2) Vendor: | Northeast Feed<br>El Paso, Texas                          |
|           | Item(s):   | Group I, #28 to #31, #54, #57, #58                        |
|           | Amount:    | \$750.00 (estimated annually)                             |
|           | 3) Vendor: | Premium Nutritional Products<br>Shawnee, KS               |
|           | Item(s):   | Group I, #21, #32, #33                                    |
|           | Amount:    | \$2,800.00 (estimated annually)                           |

4) Vendor: Trujillo Custom Farming  
 Fabens, Texas  
 Item(s): Group III, #1, #2  
 Amount: \$14,500.00 (estimated annually)

Department: El Paso Zoo  
 Funds available: 52152005-503110-15445  
 Funding source: Zoo Operations  
 Total award: \$144,150.00 (estimated)  
**District (s): All**

The El Paso Zoo and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Group II (Frozen Fish), Group IV (Frozen Whole Prey), & Group V (Frozen Horsemeat & Frozen Horsemeat Products) will not be awarded. There were no bidders for these three (3) groups.

Vendor #3 offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

Vendor #4 offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

No prompt payment discounts offered.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.  
 [Purchasing Department, Jesus M. Juarez, (915) 541-4317]

**19B.** Solicitation No. 2005-041 Hydraulic Components & Related Products  
 Award to: Fleetpride  
 El Paso, Texas  
 Item (s): Group I and Group II (all)  
 Amount: \$25,000.00 (estimated annually)  
 Department: Fleet Services  
 Funds available: 37370510-503121-45202  
 Funding source: Fleet Service Internal Service Fund  
 Total award: \$75,000.00 (estimated)  
**District (s): All**

The Fleet Service and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

No other options offered.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.  
 [Purchasing Department, Jesus M. Juarez, (915) 541-4317]

**20. BUDGET TRANSFER:** [Office of Management and Budget, David Almonte, (915) 541-4011]**BT2005-300 BUILDING AND PLANNING SERVICES**

Building and Planning Services proposes to transfer \$280,000 from unallocated capital funds to a new project to fund a Pavement Condition Indexing project for the Street Department. **(All Districts)**

Decrease	\$232,131.27	from	31134001/P58888829002/504405	OperCntgncy
Decrease	\$ 47,868.73	from	31134001/P58888829002/508027	Construction
Increase	\$280,000.00	to	31134001/P58888829002/507001	Intrfd Trf (U)
Increase	\$280,000.00	to	31134001/PPW008829003/407001	Intrfd Trf (S)
Increase	\$280,000.00	to	31134001/PPW008829003/502115	MgmtCnsltSrv

**21. BUILDING PERMITS AND INSPECTIONS - REFUND:**

Building Permit refund to David Esquivel in the amount of \$100.00 (One Hundred Dollars). Funding Source: Account #41010127-404138  
[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

**22. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:**

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

**22A.** Estela Baca to close off the 1000 block of Navarrette on December 19, 2004 from 12:00 p.m. to 5:00 p.m. for a block party (matachines). Approximately 20 persons will take part with 20 spectators anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." PERMIT#: 04-167 [Estela Baca] **(District 6)**

**22B.** Maria I. Rodriguez to close off the 8600 block of Lawson on December 18, 2004 from 2:30 p.m. to 5:00 p.m. for a block party (matachines). Approximately 20 persons will take part with 15 spectators anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." PERMIT#: 04-165 [Maria I Rodriguez] **(District 2)**

**22C.** Gran Mercado El Paso to use amplification (1 speaker, 1 microphone) at 416 S. El Paso St. from December 15, 2004 to December 31, 2004 from 10:00 a.m. to 5:00 p.m. Approximately 1 person will take part. PERMIT#: 04-166 [Luz Venzor] **(District 8)**

- 22D.** Centro de Salud Familiar La Fe, Inc. to hold a parade on December 18, 2004 from 6:00 a.m. to 11:59 p.m. Route: Starting at the intersection of Wheeling Avenue and Scenic Drive, heading west and finishing on intersection of Scenic Drive to Rim Road. Approximately 250 persons and 500 vehicles will take part with 1,200 spectators anticipated. PERMIT#: 04-169 [Frank Varela]  
**(Districts 1 and 2)**
- 22E.** Iglesia Puerta del Cielo to use amplification (4 microphones, 2 speakers) at Armijo Park (710 E. Seventh Drive) on December 18, 2004 from 9:00 a.m. to 4:00 p.m. Approximately 50 persons will take part with 500 spectators anticipated. PERMIT#: 04-168 [Diana Chairez] **(District 8)**

### **REGULAR AGENDA**

**23. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

- 23A.** An Ordinance amending Title 18 (Building and Construction), by creating Chapter 18.18 (Outdoor Lighting Ordinance), of the El Paso City Code, the penalty being as provided in Section 18.02.107 of the El Paso City Code.  
[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]
- 23B.** An Ordinance authorizing the Mayor to sign a Special Warranty Deed conveying to Centro de Salud Familiar La Fe, Inc., a 41,000 square foot parcel of land being Lot 13, Block 30, Westway-Unit III, El Paso, El Paso County, Texas, also known as 1722 Southwood, El Paso, Texas, located in West El Paso.  
**(District 1/Far West El Paso)**  
[El Paso Water Utilities Public Service Board, Robert Andron, (915) 594-5506]
- 23C.** An Ordinance authorizing the Mayor to sign a new lease agreement between the City of El Paso and Whataburger of El Paso, Inc. N/K/A Whataco of El Paso, Ltd., for real property legally described as Block A, west of Piedras Street, Bassett Addition, El Paso, El Paso County, Texas. **(District 8)**  
[Financial and Administrative Services, Gonzalo Cedillos, (915) 541-4074]
- 23D.** An Ordinance to amend Title 13 (Streets, Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Section 13.24.200 (Rental Rates and User Fees Authorization) of the El Paso Municipal Code to revise the Caption of Section 13.24.200 and to establish or revise Rental Rates, User Fees, Program Fees, and Participation Fees. [Parks & Recreation, Norman Merrifield, (915) 541-4331]

**PUBLIC HEARING WILL BE HELD ON DECEMBER 28, 2004 FOR ITEMS 23A – 23D**



- 23E.** An Ordinance changing the zoning of a portion of Lots 29 through 32, Block 60, East El Paso Addition, El Paso, El Paso County, Texas from R-5 (Residential) to A-O (Apartment/Office). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Angela V. Rosales. ZON04-00143 **(District 8)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 23F.** An Ordinance granting Special Permit No. ZON04-00148, to allow for a parking reduction on the property described as a portion of Lots 29 through 32, Block 60, East El Paso Addition, El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Angela V. Rosales. **(District 8)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 23G.** An Ordinance changing the zoning of Lot 17 - 20, Block 17, Del Norte Acres, El Paso, El Paso County, Texas from A-2 (Apartment) to A-O (Apartment/Office). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: M. A. Calabrese, Beryl Calabrese, Dennis Calabrese, Mary Kraft, Patricia Hoover, and Calabrese Enterprises Inc. ZON04-00135 **(District 2)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 23H.** An Ordinance changing the zoning of Parcel 1: A portion of Lot 2, Block 1, Butterfield Trail Aviation Park Unit 2, El Paso, El Paso County, Texas from M-1 (Light Manufacturing) to C-4 (Commercial); and Parcel 2: A portion of Lot 2, Block 2, Butterfield Trail Aviation Park Unit 2, El Paso, El Paso County, Texas from M-1 (Light Manufacturing) to C-4 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: City of El Paso. ZON04-00136 **(District 2)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]

**PUBLIC HEARING WILL BE HELD ON JANUARY 4, 2005 FOR ITEMS 23E – 23H**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

**24. MAYOR AND COUNCIL:**

- 24A.** Discussion and Action on approval of a Memorandum of Understanding to be submitted to the United States Bankruptcy Court in the Chapter 7 case of Cumbre Development Corp., Case No. 02-32345, in support of Trustee's Motion to Sell Property Free and Clear of Liens Pursuant to 11 U.S.C. Sec. 363 to First National Bank. **(District 1)** [Representative Susan Austin, (915) 541-4886]
- 24B.** Discussion and action on a Resolution that the City Council appoints the City Manager or her designee to negotiate with the appropriate parties to allow the City to fund and participate in the Paso del Norte's Master Plan. [Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123]

- 24C.** Discussion and action allowing the City of El Paso, consistent with previous Council action, to host the first “joint” City of El Paso/City of Las Cruces meeting, at a location within the City of El Paso, with the City of El Paso to accept any and all incidental costs in an amount not to exceed two hundred fifty dollars and no cents (\$250.00). [Representative Robert A. Cushing, Jr., (915) 541-4996]

**25. BUDGET TRANSFER:** [Office of Management and Budget, David Almonte, (915) 541-4011]

**BT2005-299 BUILDING AND PLANNING SERVICES**

Building and Planning Services proposes to appropriate \$500,000 from a donation of the Sunland Park Racetrack and Casino to the Sunland Park Drive street project. **(District 8)**

Increase	\$500,000	to	14150086/PPWST0301627709/405060	Donations
Increase	\$500,000	to	14150086/PPWST0301627709/508027	Construction

**26. OFFICE OF MANAGEMENT AND BUDGET:**

Discussion and action on committee report and recommendations regarding the Non-Uniformed City Employee Pension Fund.

[Office of Management and Budget, David Almonte, (915) 541-4011]

**27. PURCHASING:**

Request approval for the Director of Purchasing to reject the bids submitted for Solicitation No. 2005-006 Rocky Bluff Drainage Improvements. All bids received exceed the budget appropriated for this project, it is recommended by the Purchasing, Engineering and Street Departments that this item be re-bid with revised specifications.

[Purchasing Department, Barbara Crumley, (915) 541-4315]

**28. PUBLIC HEARING – AIRPORT:**

An Ordinance amending Ordinance Nos. 010873, 012221, 012476, 012636, 014826 and 15415, which established fees for the Foreign Trade Zone, to make various administrative changes to the Zone Schedule No. 1 Rates, Rules, Charges and Regulations for Foreign-Trade Zone No. 68; and to amend the Subzone Fees.

**(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

**29. PUBLIC HEARINGS – BUILDING PERMITS AND INSPECTIONS:**

- 29A.** Public hearing to determine if the property located at 3310 Bisbee Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated May 3<sup>rd</sup>, 2004. The owners of this property, Benjamin Garcia, 16029 Palomino Street, El Paso, Texas 79924 and Charles Leroy Garcia, 10125 Potomac Drive, El Paso, Texas 79925, as Co-Administrators of the Estate of Carlos Garcia, deceased, have been notified of the violations at this property. Delinquent taxes in the amount of \$7,619.95.

**(District 8)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]

- 29B.** Public hearing to determine if the property located at 2608-2610 Aurora Avenue AKA 2608 Aurora Avenue #1, #2 and 2610½ Aurora Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated August 3<sup>rd</sup>, 2004. The owners of this property, Hector Correa and Bertha Correa, 3116 Aurora Avenue, El Paso, Texas 79930, have been notified of the violations at this property. Delinquent taxes in the amount of \$0.  
**(District 2)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 29C.** An Ordinance amending Title 2 (Administration and Personnel) of the El Paso City Code, by revising Chapter 2.30 (Building Board of Appeals), to incorporate the responsibilities of the Electrical Board of Appeals (Codified currently as Chapter 2.34), to incorporate the responsibilities of the Plumbing/HVAC Board (Codified currently as Chapter 2.32), and to make significant changes to the board. [Building Permits & Inspections, R. Alan Shubert, (915) 541-4557]
- 29D.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.08 (Building Code), of the El Paso City Code, to adopt the 2003 edition of the International Building Code with changes appropriate for the City of El Paso with penalties not to exceed Two-Thousand Dollars (\$2,000.00) per day per violation as provided in Section 18.02.107 of the El Paso City Code.  
[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]
- 29E.** An Ordinance amending Title 9 (Health and Safety) Chapter 9.52 (Fire Prevention Code) by adopting the book entitled "International Fire Code, 2003 Edition," with penalties not to exceed Two Thousand Dollars (\$2,000.00) per day per violation as provided in Sections 9.52.109.3 (Violation Penalties) and 9.52.111.4 of the El Paso Municipal Code. [Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]
- 29F.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.12 (Mechanical Code), of the El Paso City Code, to adopt the 2003 edition of the International Mechanical Code and with changes appropriate for the City of El Paso, with penalties not to exceed Two Thousand Dollars (\$2,000.00) per day per violation as provided in Section 18.02.107 of the El Paso City Code.  
[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]
- 29G.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.20 (Plumbing Code), of the El Paso City Code, to adopt the 2003 edition of the International Plumbing Code with changes appropriate for the City of El Paso and with penalties not to exceed Two-Thousand Dollars (\$2,000.00) per day per violation as provided in Section 18.02.107 of the El Paso City Code.  
[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]
- 29H.** An Ordinance amending Title 18 (Building and Construction), by creating Chapter 18.10 (Residential Code), of the El Paso City Code and adopting the 2003 edition of the International Residential Code with changes appropriate for the City of El Paso, with penalties not to exceed Two-Thousand Dollars (\$2,000.00) per day per violation as provided in Section 18.02.107 of the El Paso City Code.  
[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

- 29I.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.24 (Gas Code), of the El Paso City Code, to adopt the 2003 edition of the International Fuel Gas Code and with changes appropriate for the City of El Paso, with penalties not to exceed Two-Thousand Dollars (\$2,000.00) per day per violation as provided in Section 18.02.107 of the El Paso City Code.

[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

**30. PUBLIC HEARINGS – ENGINEERING DEPARTMENT, TRAFFIC DIVISION:**

- 30A.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII- - Restrictions On Parking In Residential Districts), Of The El Paso Municipal Code, To Add a New Location to Zone K: No Parking Anytime, Arnulfo Place, East Side, From Comanche Avenue to a Point 125 Feet South. The Penalty Being As Provided In Section 12.84.010 (Violation - - Penalty) Of The El Paso Municipal Code. **(District 8)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 30B.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets) To Add a New Location on The North Side of Ojo De Agua Drive from Westwind Drive to a Point 205 Feet East. The Penalty being as Provided in Section 12.84.010 Of The El Paso Municipal Code. **(District 1)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

**31. PUBLIC HEARINGS – PLANNING, RESEARCH AND DEVELOPMENT:**

- 31A.** Discussion and action on a Resolution authorizing the Mayor to sign an amendment to a zoning contract between the City of El Paso and Antonio Diaz amending the zoning contract dated April 14, 1987 and as imposed by Ordinance No. 8993 to delete a condition and impose new conditions for the property described as a Portion of Tract 12A and all of Tract 12B, Block 51, Ysleta Grant, El Paso, El Paso County, Texas (9647 Socorro Rd). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Antonio Diaz. ZON04-00120. **(District 6)**

[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]

- 31B.** An Ordinance amending Title 15 (Public Services), by amending Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses), of the El Paso Municipal Code to allow for banner programs in the Downtown Area or other areas; the penalty being as provided in Section 1.08 of the El Paso Municipal Code. [Planning, Research & Development, Fred R. Lopez, (915) 541-4925]

- 32.** The City Council of the City of El Paso will retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss and take action on any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.)

Section 551.071 CONSULTATION WITH ATTORNEY  
Section 551.072 DELIBERATION REGARDING REAL PROPERTY  
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS  
Section 551.074 PERSONNEL MATTERS  
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES  
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 32A.** Discussion and action on pending claim regarding Horst Berg. (551.071)  
[City Attorney's Office, Michele Little Locke, (915) 541-4550]
- 32B.** Discussion and action on pending claim regarding Rommel Delgado-Aguirre.  
(551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]
- 32C.** Discussion and action on pending claim of Margarita Amaya. (551.071)  
[City Attorney's Office, Michele Little Locke, (915) 541-4550]
- 32D.** Discussion and action on pending claim of Jorge Lopez and Maria Rosario  
Lopez. (551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]
- 32E.** *Asarco v. TCEQ*, In the 261st District Court, Travis County, Texas; Cause No.  
GN401709. (551.071) [City Attorney's Office, James A. Martinez, (915) 541-4550]
- 32F.** ASARCO Incorporated Air Quality Permit No. 20345; TCEQ, Docket No. 2004-  
0049-AIR. (551.071) [City Attorney's Office, James A. Martinez, (915) 541-4550]
- 32G.** Genoveva G. Rivas and Maria M. Garcia v. the City of El Paso and Jose Antonio  
Urena; Cause Number 2003-3901 in the 34th District Court of El Paso County  
Texas. (551.071) [City Attorney's Office, James A. Martinez, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

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